



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
CARIBBEAN ENVIRONMENTAL PROTECTION DIVISION  
CITY VIEW PLAZA II, SUITE 7000  
#48 165 RD. KM 1.2  
GUAYNABO, PUERTO RICO 00968-8069

CERTIFIED MAIL /  
RETURN RECEIPT REQUESTED

Eli Matos Alicéa, Esq.  
Córdoba Park  
400 Bo. Tortugo Apt. 19  
San Juan, Puerto Rico 00926

**Re: Freedom of Information (FOIA) Request No EPA-R2-2013-006627**

Dear Mr. Matos:

This is written in response to your FOIA request letter of May 2013 regarding the Pfizer Pharmaceutical, LLC (PPLLC) site in Barceloneta, Puerto Rico. In such letter you request "any documents, letters, records, motions, administrative orders or e-mails issued by EPA in connection with any inspection made by EPA or internal audit or disclosure made by PPLLC related to the Barceloneta site for the past four years". We will provide electronic copies of the following documents which are responsive to this request: Administrative Compliance Order (ACO) Docket Number CAA-02-2010-1020; Administrative Complaint Docket Number CAA-02-2012-1220; and the inspection report dated May 13, 2010, which supports the before mentioned administrative complaint.

The information requested about the most recent Superfund Amendments and Reauthorization Act (SARA) 313 reports related with the Barceloneta site of PPLLC can be obtained at the following internet address:

[http://oaspub.epa.gov/enviro/trisquery.dcn\\_details?tris\\_id=00617PFZRPHIGHW](http://oaspub.epa.gov/enviro/trisquery.dcn_details?tris_id=00617PFZRPHIGHW).

However, for SARA 312 reports, you may need to contact the PR Environmental Quality Board and request these reports since they are the government agency in charge of handling these SARA Title III documents.

Certain documents you have requested are exempt from mandatory FOIA disclosure pursuant to Exemption 7(A) of the FOIA, 5 U.S.C. §552(7) (A). The exempted documents are the following:


- 1- Facility Response Plan of the Barceloneta site of PPLLC;
- 2- any inspection report, letter, e-mails or document related to any inspection or audit conducted by EPA to the Barceloneta site of PPLLC for the past four years;
- 3- any documents, letters, records, e-mails, enclosures or attachments to them, in EPA's possession, related to any disclosure made by PPLLC to EPA in connection with any internal audit or inspection made by PPLLC to the Barceloneta site in the past four years; and
- 4- any and all documents, reports, letters, e-mails submitted to EPA in connection with inspections made by EPA or internal audits made by PPLLC related to fugitive emissions derived from the operations of the Barceloneta site of PPLLC for the past four years.

Release of the above stated record material, which was compiled for a law enforcement purpose, could reasonably be expected to interfere with an enforcement proceeding.

You may appeal the denial part of this response to the National Freedom of Information Officer, U.S. EPA, FOIA and Privacy Branch, 1200 Pennsylvania Avenue, N.W. (2822T), Washington, DC 20460 (U.S. Postal Service Only), FAX: (202) 566-2147, E-mail: [hq.foia@epa.gov](mailto:hq.foia@epa.gov). Only items mailed through the United States Postal Service may be delivered to 1200 Pennsylvania Avenue, NW. If you are submitting your appeal via hand delivery, courier service or overnight delivery, you must address your correspondence to 1301 Constitution Avenue, N.W., Room 6416J, Washington, DC 20004.

Your appeal must be made in writing, and it must be submitted no later than 30 calendar days from the date of this letter. The Agency will not consider appeals received after the 30 calendar day limit. The appeal letter should include the RIN listed above. For the quickest possible handling, the appeal letter and its envelope should be marked "Freedom of Information Act Appeal." For any questions concerning your FOIA request, please contact engineer Francisco Claudio of my staff at 787-977-5841.

Sincerely,



José C. Font  
Director

Caribbean Environmental Protection Division  
U.S. Environmental Protection Agency-Region 2

bcc: Wanda Calderon  
Region II FOIA Officer  
Rosanna Caballer-CEPD/RRB  
Carlos R. Villafañe-CEPD/MPCB  
Francisco Claudio-CEPD/MPCB